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AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
DEPUTY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ROBERT SMITH, JR.,

Plaintiff,

v.

HEIDI DAVIS et al.

Defendants.


CASE NO. C04-1483 JLR

ORDER

The Court, having reviewed the Plaintiff's Complaint, the Report and Recommendation of the Honorable Monica J. Benton, United States Magistrate Judge, and the remaining record, finds and Orders as follows:

- (1) The Court adopts the Report and Recommendation;
- (2) Defendants' Motion for Summary Judgment (Dkt. # 44) is GRANTED;
- (3) Defendants' Motion to Continue Joint Pretrial Statement (Dkt. #49) is DENIED;
- (4) The matter is DISMISSED with prejudice;
- (5) The Clerk is directed to send a copy of this Order to Plaintiff, counsel for defendants, and the Hon. Monica J. Benton.

DATED this 18th day of August, 2006.


JAMES L. ROBART
United States District Judge

